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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,344	04/27/2001	Hiroaki Takano	01266/LH	2474

1933 7590 06/30/2005

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EXAMINER

BAKER, CHARLOTTE M

ART UNIT PAPER NUMBER

2626

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/844,344

Applicant(s)

TAKANO, HIROAKI

Examiner

Charlotte M. Baker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook et al. (6,786,655) in view of Redd et al. (6,646,754).

**Regarding claim 1:** Cook et al. disclose means for automatically conducting an order receiving process to receive an image input order (self-service film processing system 100 and col. 3, ln. 63-67 through ln. 1); means for performing photographic processing to develop a silver halide photographic light-sensitive material (film processing system 104 and col. 4, ln. 1-3); means for converting image recording information of the silver halide photographic light-sensitive material after the photographic processing into digital image data with an image sensor (film processing system 104 and col. 4, ln. 1-3).

Although Cook et al. do not disclose a communication network, an image server, or a retrieval ID in the preferred embodiment, Cook et al. does disclose this limitation in later embodiments. Cook et al disclose means for communicating with the image input apparatus through a network to receive the digital image data from the at least one image input apparatus (communications network 118e and col. 7, ln. 9-14); for transmitting the retrieval ID to the image input apparatus (self-service film processing system 100 and password, col. 8, ln. 18-22);

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and for storing on the image server the digital image data in association with the retrieval ID (storage system 124*b* and col. 8, ln. 18-22).

Cook et al. fail to specifically address an image retrieval process as claimed by Applicant.

Redd et al. disclose retrieval information issuing means (Fig. 8, unique identification number 922) for receiving and issuing a retrieval ID for retrieving digital image data and for outputting an index print (Fig. 7, thumbnail index 903) corresponding to the received order (col. 17, ln. 64-67 through ln. 1-7); and means for giving the retrieval ID to the digital image data transferred from the image input apparatus (Figures 7 and 8).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the suggestion of an index print giving the retrieval ID to the digital image data in order to improve accuracy of image retrieval and tracking in a self-service film processing system.

**Regarding claim 2:** Cook et al. in view of Redd et al. satisfy all the elements of claim 1. Cook et al. further disclose means for retrieving the digital image data from the image server by inputting the retrieval ID (password and col. 8, ln. 18-22)

Although Cook et al. do not disclose a detachable external medium in the embodiment, which outlines the use of a password, Cook et al. does disclose this limitation in a later embodiment. Cook et al. disclose means for storing the retrieved image data on a detachable external memory medium (storage media 140, col. 9, ln. 11-19).

**Regarding claim 3:** Cook et al. in view of Redd et al. satisfy all the elements of claim 1. Cook et al. further disclose means for communicating with the image server through the network (col. 8, ln. 18-22); means for enabling a client computer user to read the digital image data by

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inputting the retrieval ID (password) while the client computer is in communication with the image server through the network (it is implied that a computer could be used to access the storage system 124*b* via an Internet web site, col. 8, ln. 18-22); and means for storing the digital image data into a memory medium of the client computer (it is implicit that once a connection is made to the Internet web site, the images could be saved to a memory medium of a computer); wherein the retrieval information issuing means of the image input apparatus (self-service film processing system 100 in communication with Internet web site) issues a home page corresponding to the digital image data (col. 7, ln. 30-45).

**Regarding claim 4:** Cook et al. in view of Redd et al. satisfy all the elements of claim 1. Cook et al. further disclose means for receiving an order for producing a digital print (col. 4, ln. 1-14); means for preparing an order data file including a content of the order for the digital print (col. 4, ln. 1-14). Although Cook et al. do not disclose a retrieval ID in the embodiment, Cook et al. does disclose this limitation in a later embodiment. Cook et al. disclose the retrieval ID (password, col. 8, ln. 18-22); means for transferring the order data file to the image server separately from the digital image data (col. 4, ln. 1-14); means for reading out the order data file and for reading out the digital image data from the image server based on the retrieval ID recorded in the read out order data file (col. 8, ln. 18-33); and means for producing a digital print based on the order data file (col. 8, ln. 27-33).

**Regarding claim 5:** Cook et al. in view of Redd et al. satisfy all the elements of claim 1. Cook et al. further disclose means for producing a digital print from the digital image data stored in the image server (col. 8, ln. 27-37).

Cook et al. fail to specifically address an index print or order form.

Redd et al. disclose means for issuing an order form with the index print attached thereto, said order form including the retrieval ID (Fig. 8, unique identification number 922) and a column in which an order for the digital print is to be entered (Fig. 7 and 8, web site to enter to order prints).

**Regarding claim 6:** Cook et al. in view of Redd et al. satisfy all the elements of claim 1.

Cook et al. fail to specifically address an index print or order form.

Redd et al. further disclose means for issuing an order form with the index print attached thereto (Fig. 7, destination identifier print 900), said order form including the retrieval ID (Fig. 8, reorder information 926), **at least one** of a telephone number (Fig. 8, phone number 928) and a facsimile number, and a column in which an order for a digital print is to be entered (Fig. 7 and 8, web site to enter to order prints).

**Regarding claim 7:** Cook et al. in view of Redd et al. satisfy all the elements of claim 1. Cook et al. further disclose means for producing a digital print from the digital image data stored in the image server (storage system 124b and col. 8, ln. 18-24).

Cook et al. fail to specifically address an index print.

Redd et al. disclose means for issuing an order form to which index print and the retrieval ID are attached (Fig. 7), in which an order for producing the digital print is described (Fig. 7, reordering information 908).

**Regarding claim 8:** Cook et al. in view of Redd et al. satisfy all the elements of claim 3. Cook et al. further disclose wherein the client computer further comprises means for ordering a digital print (it is implied that a computer could be used to access the storage system 124b via an Internet web site, col. 8, ln. 18-33 and col. 7, ln. 43-47).

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**Regarding claim 9:** Cook et al. in view of Redd et al. satisfy all the elements of claim 1. Cook et al. disclose at least two image input apparatuses (network of self-service film processing systems 100, col. 7, ln. 9-14).

***Conclusion***

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M. Baker whose telephone number is (571)272-7459. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571)272-7471. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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SUPERVISORY PATENT EXAMINER